

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

Docket Number (Optional)
ARIAD 395D US

Applicant or Patentee: Manfred Weigle, Tomi K. Sawyer, Regine Bohacek, William C. Shakespeare, Rajeswari Sundaramoorthi, Yihan Wang, David C. Dalgarno, Chester A. Metcalf, III

Serial or Patent No.: Unknown

Filed or Issued: Herewith

Title: Purine Derivatives

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN ARIAD Pharmaceuticals, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 26 Landsdowne Street, Cambridge, MA 02139-4234

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for the purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For the purposes of this statement, (1) the number of employees of the business concern is the average of the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 128(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief and believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING David L. Berstein

TITLE OF PERSON IF OTHER THAN OWNER Sr. Vice President - Chief Patent Counsel

ADDRESS OF PERSON SIGNING 26 Landsdowne Street, Cambridge, MA 02139-4234

SIGNATURE David Berstein DATE 12/17/00

**DECLARATION FOR UTILITY OR
DESIGN PATENT APPLICATION**

- ☒ DECLARATION SUBMITTED WITH INITIAL FILING
☐ DECLARATION SUBMITTED AFTER INITIAL FILING

Attorney docket number: 395D US
First Named Inventor: Weigele

Application No: _____
Filing Date: _____
Group Art Unit: _____
Examiner Name: _____

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am one of the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled Purine Derivatives, the specification of which

- [X] is attached hereto.
[] was filed on as Application Serial No. _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR 1.56(a).

I hereby claim the benefit under Title 35, USC 119(e) of any **United States provisional application(s)** listed below

<u>Number</u>	<u>Filing Date</u>
60/172,510	December 17, 1999
60/240,788	October 16, 2000

As a named inventor, I hereby appoint the following registered patent attorney and agent to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David L. Bernstein, Registration No. 31,235

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Telephone: 617-494-0400 Ext. 266 / Facsimile: 617-494-0208

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature _____ Date _____

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Full name of third inventor Regine Bohacek

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Full name of eighth inventor Chester A. Metcalf, III

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ARIAD 395D US
Declaration & Power of Attorney
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